

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:
	:
Koichiro TANI	: Confirmation No.: 2067
	:
Serial No. 10/673,258	: Group Art Unit: 3761
	:
Filed: September 30, 2003	: Examiner: Melanie Jo Hand
	:
For: DISPOSABLE DIAPER	

Mail Stop Appeal Brief - Patents
Commissioner for Patents
U.S. Patents and Trademarks Office

Attn: BOARD OF PATENT APPEALS AND INTERFERENCES

RESPONSE TO NOTICE OF NON-COMPLIANT BRIEF

This is in response to the Notice of Non-compliant Brief sent February 12, 2008. Appellant respectfully disagrees with the Office's holding of non-compliance, because the statement of each ground of rejection presented in the Appeal Brief (i.e., "all claims on appeal") is essentially the same as the rejection set forth in the Final Office Action (i.e., "claims 1, 3-5, 7-10, 12-13, 15, 17, 19-20, 22-26").

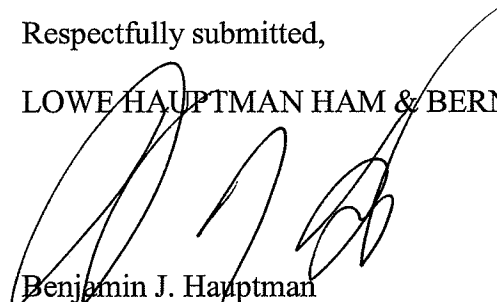
The Appeal Brief as filed is therefore compliant contrary to the Office's holding.

Notwithstanding the above and solely for the purpose of expediting prosecution, Appellant submits herewith the requested revision of the defective part, i.e., "GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL."

If for any reason the Appeal Brief is still found to be incomplete, or if at any time it appears that a telephone conference with counsel would help advance prosecution, please telephone the undersigned, Applicant's attorney of record.

Respectfully submitted,

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VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The only ground of rejection to be reviewed on appeal is the 35 U.S.C. 103(a) rejection of claims 1, 3-5, 7-10, 12-13, 15, 17, 19-20, 22-26 as being unpatentable over *Robles et al.* (U.S. Patent No. 6,004,306) as manifested in the Final Office Action, at pages 2-9.